



# ACCESS CURRENTS

Volume 11 No. 3

May/ June 2005

## Board to Hold Forums During Week of ADA Anniversary Events

Among a number of programs and receptions planned by various organizations to mark the 15<sup>th</sup> anniversary of the Americans with Disabilities Act (ADA) on July 26<sup>th</sup>, the Access Board will hold several public forums on its work and goals under the ADA. These events will allow the public to provide input on shaping a new agenda and on specific Board initiatives. The meetings, which are free and open to the public, will be held at the Marriott at Metro Center in downtown D.C.

### *Public Hearing on Passenger Vessels (July 25<sup>th</sup> 10:00 – 12:00)*

The Board will hold a public hearing on access to passenger vessels on the morning of July 25<sup>th</sup>. The public is invited to provide comment on materials the Board released in November on its rulemaking for access to passenger vessels, including draft guidelines for large vessels, such as cruise ships, and a notice outlining several different options on addressing access to smaller vessels, such as water taxis and excursion boats. This event follows similar hearings held in D.C. last January and in Los Angeles at the end of June. For further information, contact Paul Beatty at (202) 272-0012 (v), (202) 272-0082 (TTY), or [pvag@access-board.gov](mailto:pvag@access-board.gov) (e-mail). The materials on passenger vessels available for comment are posted on the Board's website at [www.access-board.gov/news/pvag.htm](http://www.access-board.gov/news/pvag.htm).

### *Meeting on Promoting Education on Accessible Design (July 25<sup>th</sup> 1:30 – 4:30)*

An information meeting will be held later on the same day on a new Board initiative to promote accessibility in the education of architects, planners, and engineers. The Board seeks recommendations on ways this goal can be advanced through education curricula, design competitions, outreach to colleges, universities, and accrediting organizations, and other means. For further information on this event, contact Jim Pecht at (202) 272-0021 (v), (202) 272-0082 (TTY), or [pecht@access-board.gov](mailto:pecht@access-board.gov) (e-mail).

### *Forum on Board Agenda and Services (July 26<sup>th</sup> 9:30 – 11:00)*

The Board will hold a public forum on its work developing and maintaining guidelines, sponsoring research, and providing information and services through its website. This forum will provide an opportunity for the public to provide input on the Board's agenda for rulemaking, research, technical assistance, and training. Recommendations are sought on topics or issues that the Board should address through its work writing guidelines for accessible design, its research program, or other means, such as information meetings. The Board also seeks recommendations on new guidance and training materials and how this information and related services can be delivered most effectively to its various audiences, particularly through its website. For further information, contact Kathy Roy Johnson at (202) 272-0041 (v), (202) 272-0082 (TTY), or [johnson@access-board.gov](mailto:johnson@access-board.gov) (e-mail).

This latter event is part of a program of seminars organized by the National Council on Disability (NCD) in cooperation with various Federal agencies. The full program, "The ADA: 15 Years of Making a Difference," includes an opening plenary session, five other ADA-related workshops in addition to the Board's session, and a closing session. For information on the full program, contact the NCD at (202) 272-2004 (v) or (202) 272-2074 (TTY).

Access Board  
ADA Anniversary  
Events  
Marriott Metro Center  
775 12<sup>th</sup> Street, NW  
Washington, DC

**July 25<sup>th</sup>**  
10 – 12  
Public Hearing on  
Passenger Vessels

1:30 – 4:30  
Forum on Promoting  
Accessible Design in  
Education

**July 26<sup>th</sup>**  
9:30 – 11:30  
Forum on  
Board Agenda and  
Services

## Board Unveils New Website; Seeks Input on Future Enhancements

In June, the Board implemented a complete redesign and overhaul of its website at [www.access-board.gov](http://www.access-board.gov). The revised site features a new look and organization, improved navigational and search features, and additional on-line services. Visitors can now order Board publications through the site in addition to subscribing to the Board's newsletter or filing a complaint under the Architectural Barriers Act. The new site's design provides a portal page or "mini-homepage" for each of the Board's guidelines and standards, including those under development, which contain links to all relevant materials and related resources for easier one-stop shopping.

The Board plans to develop new content and features for the website in coming months. This next phase will explore ways in which guidance and training on the Board's design criteria and accessible design can be delivered most effectively through the site. A public forum to be held on July 26<sup>th</sup> (see page 1) will invite recommendations from the public on these and other website features and on-line services.



### Courthouse Access Advisory Committee Meeting

Allegro Hotel  
171 West Randolph  
Chicago, IL

August 4<sup>th</sup> 9 – 5  
August 5<sup>th</sup> 9 – 3

## Courthouse Access Advisory Group to Meet in Chicago in August

The Courthouse Access Advisory Committee will hold its next quarterly meeting August 4<sup>th</sup> and 5<sup>th</sup> in Chicago. The committee, which the Board chartered last fall, is exploring ways to address and promote access to courthouses, including courtrooms, which pose unique challenges to accessibility. At this meeting, members will review and assess considered design solutions and best practices. In addition, the committee will continue work gathering resources and planning outreach and educational initiatives. Presentations on courtroom platform lifts and on emergency egress are also on the agenda, along with planning for next year's meetings.

The committee's members include designers and architects, disability groups, members of the judiciary, court administrators, representatives of the codes community and standard-setting entities, government agencies, and others with an interest in the issues to be explored. Committee meetings are open to the public. For further information, contact Elizabeth Stewart at (202) 272-0042 (voice), (202) 272-0082 (TTY), or [stewart@access-board.gov](mailto:stewart@access-board.gov) (e-mail).

## Supreme Court Rules that ADA Covers Foreign Flag Vessels

In June, the Supreme Court ruled in a split decision that cruise ships, including those of foreign registry, are covered by the Americans with Disabilities Act (ADA). The case, *Spector v. Norwegian Cruise Line*, involved claims concerning barrier removal and discriminatory policies by a foreign-flag cruise line. The Court ruled that cruise ships fall within the ADA's definitions of "public accommodations" and "specified public transportation." On the question on whether the ADA applies to foreign-flag cruise ships, the ruling opinion upheld coverage of the ADA to the extent that it does not interfere with the internal affairs of a foreign-flag cruise ship. For example, discriminatory practices such as charging passengers with disabilities higher fares and special surcharges would be barred under the ADA since they have no bearing on a ship's internal affairs. Other requirements of the ADA, such as removal of barriers to access where readily achievable, would apply only to the extent that a ship's internal affairs were not affected. The decision notes that barrier removal would not be considered "readily achievable" where it conflicted with international legal obligations or threatened shipboard safety.

The full text of the ruling and dissenting opinions are available on the Supreme Court's website at [www.supremecourtus.gov](http://www.supremecourtus.gov).



## **New Voting System Guidelines Released for Public Comment**

In June, the Election Assistance Commission published new guidelines for voting systems that are available for public comment for 90 days. These guidelines, once finalized, will be available for states to use on a voluntary basis in complying with the Help America Vote Act of 2002. This law was enacted to prevent the types of ballot controversies that arose in the presidential election of 2000 and calls for methods to improve the usability and reliability of voting systems used in Federal elections. The law ensures that voting systems and polling places are accessible to people with disabilities and also covers ballot verification by voters, language barriers, and provisional voting.

The new guidelines contain specific provisions for accessibility, as well as voting system usability, security, and privacy. Specifications address access to voting equipment for all types of users, including those with vision impairments. The draft guidelines and instructions for submitting comments are posted on the Commission's website at [www.eac.gov](http://www.eac.gov). The Commission will hold public hearings on the guidelines during the comment period. The guidelines were drafted by a committee comprised of voting system specialists, election officials, persons with disabilities, and other stakeholders and interests, including the Access Board. This committee was set up under the law to prepare guidelines for the Commission's review. Board members J.R. Harding, Ed.D. and James Elekes, M.Ed, MPA/CPM represent the Board on this committee and on the Commission's Board of Advisors.

## **Research Completed on Access at Vessel Doors with Coamings**

Results are in on a study the Board sponsored on providing access at doors on various types of passenger vessels. Conducted by the U.S. Department of Transportation, this project explored ways to provide access at vessels doors with coamings or sills, which are used to prevent water infiltration. The results provide information on solutions to this issue which will supplement the Board's work in developing new guidelines for passenger vessels. The study results provide data that can be useful to vessel designers, operators, and inspectors in improving disability access without compromising the vessel safety provisions of the coamings at weathertight doors.

In Phase I of the project, researchers examined governing safety regulations and developed several case studies examining the design and regulatory review of weathertight doors on certain types of smaller sized classes of vessels. In Phase II, researchers explored technical guidance and design solutions for weathertight doors that meet both U.S. Coast Guard regulations and the Board's accessibility guidelines. The project report, "ADA Access to Passenger Vessels: Finding Safety Equivalence for Weatherfight Doors with Coamings" is posted on the Board's website at [www.access-board.gov/pvaac/index.htm](http://www.access-board.gov/pvaac/index.htm).

## **Doug Wakefield, Board's Section 508 Specialist, to Retire**

Doug Wakefield, the Board's expert on accessible information technology, retired from government service at the end of June. Wakefield joined the Board in 1998 to lead its work writing new standards for electronic and information technology under section 508 of the Rehabilitation Act. This law, as amended, assigned the Board the task of issuing new standards for covered technologies procured by Federal agencies. After these standards were issued in 2000, he provided technical assistance and training on them, conducting numerous sessions across the country. He also oversaw the development of related guidance material and represented the Board at various interagency and international forums on section 508 and accessible information technology. Prior to his work at the Board, he provided consultation on accessibility for employees with disabilities at the General Services Administration's Center on Information Technology Accommodation and before that ran his own consulting firm which specialized in adaptive computer equipment.

## Access Board Training

The Board regularly provides training and briefings on its guidelines and standards at various events across the country. Often, these sessions are part of larger programs organized by different groups and associations. Sessions can be tailored to focus on particular areas of interest, such as specific types of facilities or spaces.

Training is available on new guidelines the Board issued last July for facilities covered by the ADA and the Architectural Barriers Act (ABA). While it will take some time before these new requirements become mandatory as standards under the ADA, new ABA standards covering most of the Federal sector will take effect later in the year.

Training is also available in areas to be addressed by future guidelines, such as outdoor environments and public rights-of-way. Besides programs on its facility guidelines, the Board offers training on design criteria for transportation vehicles, electronic and information technology, and telecommunication products. For further information or to arrange a Board training, contact Peggy Greenwell, the Board's training coordinator, at [training@access-board.gov](mailto:training@access-board.gov) (e-mail) or (202) 272-0017 (v) or (202) 272-0082 (TTY).

## Training Calendar

Some upcoming events where the Board will provide training:

- July 26<sup>th</sup> – Conference organized by the City of Sioux Falls, the Prairie Freedom Center for Independent Living, and the North Central Chapter of Paralyzed Veterans of America, Sioux Falls
- August 3<sup>rd</sup> – Association of Higher Education and Disability Conference, Milwaukee, WI
- August 24<sup>th</sup> – ADA Training for the State of Virginia, Charlottesville, VA
- September 8<sup>th</sup>–11<sup>th</sup> – National Institute on Recreation Inclusion, Palm Springs, CA
- October 24<sup>th</sup>–27<sup>th</sup> – National Association of ADA Coordinators Fall Conference, Miami, FL
- November 15<sup>th</sup>–17<sup>th</sup> – Build Boston, Boston, MA

---

***Access Currents is a free newsletter issued by the Access Board every other month by mail and e-mail. Send questions or comments to [news@access-board.gov](mailto:news@access-board.gov) or call (800) 872-2253 ext. 0026 (voice) or (800) 993-2822 (TTY). Mailing address: 1331 F Street, N.W., Suite 1000; Washington, D.C. 20004-1111.***

---

Volume 11 No. 3 May/ June 2005

Page 4



**UNITED STATES ACCESS BOARD**

A FEDERAL AGENCY COMMITTED TO ACCESSIBLE DESIGN

1331 F Street, NW Suite 1000 Washington, DC 20004-1111

Presorted First Class Mail  
US Postage Paid  
Merrifield VA  
Permit No. 184